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7                   UNITED STATES DISTRICT COURT  
8                   EASTERN DISTRICT OF WASHINGTON  
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10                   UNITED STATES OF AMERICA,

11                   Plaintiff,

12                   v.

13                   JOSHUA T. GARRITY,

14                   Defendant.

15                   No. 2:14-PO-0294-JTR-1

16                   ORDER STRIKING DEFENDANT'S  
17                   MOTION TO DISMISS WITHOUT  
18                   PREJUDICE

19         THIS MATTER comes before the Court on Defendant's Motion to  
20         Dismiss. ECF No. 26. Defendant is represented by J. Stephen Roberts, Jr.,  
21         Assistant Federal Defender. The United States is represented by Sam White, Legal  
22         Intern, and Tyler Tornabene, a supervising United States Attorney. The arrest  
23         warrant issued for Defendant Garrity on June 11, 2014, ECF No. 39, remains  
24         unserved, and Defendant Garrity has not otherwise appeared. The United States'  
25         motion to strike the trial in this matter was granted by the Court on June 15, 2015.  
26         ECF No. 41.

27         Based on the foregoing, **IT IS HEREBY ORDERED** Defendant's Motion  
28         to Dismiss, **ECF No. 26**, is **STRICKEN** with leave to renew. Should  
circumstances change in this case, Defendant need not refile his motion; Defendant  
may simply re-note the motion for hearing before the Court.

ORDER . . . - 1

1           **IT IS SO ORDERED.** The District Court Executive shall enter this order  
2 and furnish copies to counsel.

3           DATED August 13, 2015.



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A handwritten signature in black ink, appearing to read "M".

5           JOHN T. RODGERS  
6           UNITED STATES MAGISTRATE JUDGE